

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

UNITED STATES OF AMERICA

RESPONDENT

v.

No. 4:12-cr-109-DPM-3

BRADLEY ALLAN HAWKS
Reg No. 27006-009

PETITIONER

ORDER

Hawks has moved again to set aside his sentence. He labels his motion as one for a sentence reduction based on a change in the Sentencing Guidelines. But that's not the relief he's seeking. He wants his felon in possession conviction set aside because, he says, the statute is unconstitutional. Regardless, he isn't entitled to a sentence reduction. He was sentenced to the fifteen-year mandatory minimum. *Doc. 96 & 143.*

Hawks's motion is a second or successive *habeas* petition. *Gonzalez v. Crosby*, 545 U.S. 524, 530–32, & n.5 (2005); *see also Ward v. Norris*, 577 F.3d 925, 932–34 (8th Cir. 2009). He must seek and get permission from the United States Court of Appeals for the Eighth Circuit before this Court can proceed. 28 U.S.C. §§ 2255(h) & 2244(b)(3)(A). His motion, *Doc. 145*, is dismissed without prejudice for lack of jurisdiction. No certificate of appealability will issue. 28 U.S.C. § 2253(c)(1)-(2). His embedded motion for an appointed

lawyer is denied. *United States v. Craycraft*, 167 F.3d 451, 455 (8th Cir. 1999).

So Ordered.

DP Marshall Jr.
D.P. Marshall Jr.
United States District Judge

25 June 2024